

Lawrence R. Bailey, Jr.
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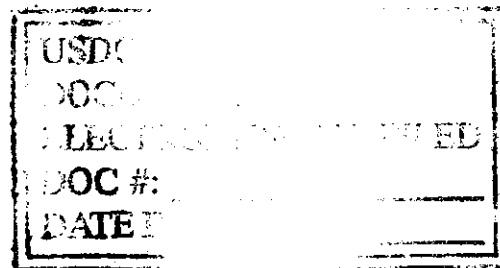
September 20, 2007

Via Facsimile 845-634-8930

Martin E. Fiel, Esq.
369 South Main Street
New City, NY 10956

Dear Mr. Fiel:

Re: Steven Bello v. CSX Transportation, Inc.
Our File No. 031324.00114



07CV 2931 (Lm) (Gay)

Reference is made to your recent conversation with Pat Varcasia, CSX Transportation, Inc.'s Manager of Field Investigations.

Pursuant to the discussion, the Plaintiff and your office have agreed to accept Ten Thousand Dollars (\$10,000) as and for full settlement of any claim for legal fees and costs incurred by the Plaintiff in connection to the removal by the defendant to the federal court and plaintiff's request for the court to remand this case to state court.

Am

This payment will be in full compliance of Magistrate Judge George Yanthis' Memorandum Decision and Order dated September 11, 2007 granting Plaintiff's request for attorneys' fees. Although the Court did not specify the amount of attorneys' fees entitled by the Plaintiff, Plaintiff has agreed to accept Ten Thousand Dollars as and for full settlement of any claim for legal fees and costs.

In consideration of same and your acceptance of this payment, the Defendants will not file objections to either the Report and Recommendations of Magistrate Judge George A. Yanthis of September 11, 2007 and the Memorandum Decision and Order of Magistrate Judge George A. Yanthis of September 11, 2007.

Please acknowledge this agreement by signing the letter and returning it to me.

The check will be made payable to you. So, please provide me with your Tax Identification Number and I will have a draft prepared and forwarded to you.

Martin E. Fiel, Esq.
September 20, 2007
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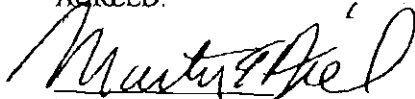
Very truly yours,



Lawrence R. Bailey, Jr.
Partner

LRB/

AGREED:


Martin E. Fiel, Esq.